

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT NEW YORK**

<p>SCOTT PONTONE, Plaintiff, vs. THE YORK GROUP, INC., MILSO INDUSTRIES CORPORATION, and MATTHEWS INTERNATIONAL CORPORATION, Defendants.</p>	<p>Docket No. 08-cv-6314 (WHP) August 25, 2008</p>
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DECLARATION OF EDMUND ARONOWITZ

I, Edmund Aronowitz, declare under penalty of perjury as follows:

1. I am a member of Clifford Chance US LLP, counsel to Scott Pontone, plaintiff in this action. I make this declaration in support of the Reply in Support of Plaintiff Scott Pontone's Motion for Preliminary Injunction.
2. Attached hereto as Exhibit 1 is a true and correct copy of excerpts from the Transcript of the Deposition of Plaintiff Scott Pontone, taken July 31, 2008.
3. Attached hereto as Exhibit 2 is a true and correct copy of excerpts from the Transcript of the Videotape Deposition of Joseph Bartolacci, taken August 19, 2008.
4. Attached hereto as Exhibit 3 is a true and correct copy of the undated Declaration of Plaintiff Scott Pontone previously filed in this action in support of Plaintiff's Motion for Preliminary Injunction.
5. Attached hereto as Exhibit 4 is a true and correct copy of the supplemental declaration of Plaintiff Scott Pontone, dated August 25, 2008.

6. Attached hereto as Exhibit 5 is a true and correct copy of excerpts from Form 10-K, Matthews Int'l Corp. dated November 27, 2007.
7. Attached hereto as Exhibit 6 is a true and correct copy of an organizational chart entitled "Casket Division November 2005," bearing bates number D-0973.
8. Attached hereto as Exhibit 7 is a true and correct copy of the first page of a 110-page document entitled "Sales by Customer For the period from 01-01-05 to 12-31-05," bearing bates number D-0504.
9. Attached hereto as Exhibit 8 is a true and correct copy of a newsletter entitled "Funeral Service Insider" dated April 16, 2007, Vol. 32, No. 14, bearing bates numbers D-0069 to D-0080.
10. Attached hereto as Exhibit 9 is a true and correct copy of the document entitled "Matthews Casket Division, Priority Issues Meeting, Milso Headquarters, Brooklyn, New York, April 25th-27th, 2007," bearing bates numbers D-0049 to D-0150.
11. Attached hereto as Exhibit 10 is a true and correct copy of the Complaint in Pontone v. The York Group, Inc., Index No. 104399/07, dated on March 30, 2007.
12. Attached hereto as Exhibit 11 is a true and correct copy of a document headlined "Matthews International Corporation Announces Resolution of Legal Claim" and dated May 30, 2007.
13. Attached hereto as Exhibit 12 is a true and correct copy of a the Second Amendment to the Key Employee Employment Agreement of Harry Pontone dated May 30, 2007, bearing bates numbers D-0385 to D-0388.
14. Attached hereto as Exhibit 13 is a true and correct copy of the Settlement Agreement and Release, dated May 30, 2007, bearing bates numbers D-0370 to D-0375.

15. Attached hereto as Exhibit 14 is a true and correct copy of the Second Amendment to the Key Employment Agreement and Asset Purchase Agreement, dated May 30, 2007, bearing bates numbers D-0381 to D-0384.

16. Attached hereto as Exhibit 15 is a true and correct copy of the Declaration of William Kirk, dated August 14, 2008.

17. Attached hereto as Exhibit 16 is a true and correct copy of the Declaration of Mike DiBease, dated August 7, 2008.

18. Attached hereto as Exhibit 17 is a true and correct copy of the Declaration of Chip Ray, dated August 13, 2008.

19. Attached hereto as Exhibit 18 is a true and correct copy of each Defendant's Response to Plaintiff's Interrogatory 6, dated August 8, 2008.

I hereby declare under penalty of perjury that the foregoing is true and correct. Executed on August 25, 2008.



Edmund Aronowitz (EA 0542)